IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

FRIDAY, THE SEVENTH DAY OF OCTOBER
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE K.C. BHANU

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WRIT PETITION NO : 22117 of 2005

Between:

Proddatur Toddy Tappers Co-operative Society Limited, (Regd.No.2) Proddutur, Kadapa District,
Rep. by its President Yellalu Raju, S/o. Late Narsimulu,

aged 30 Years, R/o. Proddutur, Kadapa District.

..... PETITIONER

AND

1. The Commissioner of Prohibition and Excise,

Nampally, at Hyderabad.

2. The Prohibition and Excise Superintendent, Kadapa.

...RESPONDENTS

* * *

ORDER:

Questioning the action of the respondent No.1 in not revoking licence of the petitioner society despite the recommendation of the 2nd respondent vide letter Rc.No.B1/759/2005 dated 21.7.2005, the

present writ petition has been filed.

2. The case of the petitioner-society is that their society is having licence to sell toddy in their shops and the licence is valid upto 30.09.2009. The second respondent cancelled the licence of petitioner-society by proceedings dated 15.6.2005 on the allegation that the toddy selling in shop No.3 of the petitioner-society was being adultered. On the representation of the petitioner-society, the second respondent, after conducting enquiry into the matter, recommended to the first respondent for revocation of the licence of the petitioner-society. But the first respondent neither revoked the licence of the petitioner-society nor passed any orders to that effect.

3. Heard the learned counsel for the petitioner-society and the learned Government Pleader for Prohibition and Excise appearing for the respondents.

4. Appropriate decision has to be taken by the first respondent in accordance with law basing on the report dated 21.07.2005 of the second respondent.

5. Without going into the merits of the case, the writ petition is disposed of directing the first respondent to pass appropriate orders on the report dated 21.07.2005 submitted by the second respondent within a period of three weeks from the date of receipt of a copy of this order. No costs.

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K.C.BHANU, J.

Date: 07th October 2005.

BSB

Note:

Issue CC in one week.

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